

BEST AVAILABLE COPY

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POWER OF ATTORNEY FOR PATENT APPLICATION BY ASSIGNEE

Assignee, Genomar ASA, is the owner of the entire right, title and interest of U.S. Patent Application Serial No. 10/643,775, filed on August 18, 2003, as attorney docket number 66849-019, and entitled VERIFICATION OF FOOD ORIGIN BASED ON NUCLEIC ACID PATTERN RECOGNITION, and any subsequently filed divisional, continuation, or reissue application, including international and foreign applications claiming priority thereto.

The Assignee hereby appoints the following attorneys to prosecute these applications and to transact all related business in the United States Patent and Trademark Office and any international and foreign patent offices:

CATHRYN CAMPBELL, Registration No. 31,815; DAVID A. GAY, Registration No. 39,200; ANDREA L. GASHLER, Registration No. 41,029; DEBORAH L. CADENA, Registration No. 44,048; ASTRID R. SPAIN, Registration No. 47,956; PAMELA M. GUY, Registration No. 51,228; and MELODY E. CLARK, Registration No. 51,566.

Please direct all telephone calls to Cathryn Campbell at (858) 535-9001 and address all correspondence to:

CATHRYN CAMPBELL
McDERMOTT, WILL & EMERY
4370 La Jolla Village Drive
7th Floor
San Diego, California 92122

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Serial No.: 10/643,775
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Page 2

The undersigned is authorized to sign on behalf of the Assignee.

Signature:



Name (typed):

Morten Høyum

Title:

CEO

Assignee:

GenoMar ASA

Date:

Aug. 30 - 2004

I hereby certify that this document is signed by Morten Høyum, and that he is authorized to sign alone as per power of procuration on behalf of GENOMAR ASA, enterprise number 976 559 975, according to the Certificate of Registration from the Register of Business Enterprises in Brønnøysund, dated 21.07.2004.

The signature is certified on the basis of signature deposited in our register of signatories.

Oslo byfogd og notarius publicus, 30 August 2004.


Mette Gran
Notary Public

Mette Gran
konsulent





COPY

PATENT
Client-Matter No.: 66849-019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
Lie et al.)
Serial No. 10/643,775)
Filed: August 18, 2003)
For: VERIFICATION OF FOOD)
ORIGIN BASED ON NUCLEIC)
ACID PATTERN RECOGNITION))

)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SMALL ENTITY STATEMENT

The U.S. Patent and Trademark (USPTO) permits parties that establish status as a Small Entity to pay certain reduced fees (all citations to 37 C.F.R. § 1.27 except as noted). To be entitled to Small Entity Status, a party must be at least one of the following:

(1) Individual person:

An individual person, including an inventor and persons to whom an inventor has transferred some rights in the invention. § 1.27(a)(1).

(2) Small business concern:

A business concern whose number of employees, including affiliates, does not exceed 500 persons. § 1.27(a)(2) (incorporating 13 C.F.R. § 121.802).

"Business concern" means individual proprietorship, partnership, limited liability company, corporation, joint venture, association,

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trust or cooperative. If the concern is a joint venture, participation by foreign business entities may not be more than 49%. 13 C.F.R. § 121.105.

The "number of employees" is the average number of employees, including the employees of its domestic and foreign affiliates, based on numbers of employees for each of the pay periods for the preceding completed 12 calendar months.

"Employees" includes all individuals employed on a full-time, part-time, temporary, or other basis. Part-time and temporary employees are counted the same as full-time employees. If a concern has not been in business for 12 months, use the average number of employees for each of the pay periods it has been in business. 13 C.F.R. § 121.106.

Concerns are "affiliates" of each other when one concern directly or indirectly controls or has the power to control the other, or when a third party or parties controls or has the power to control both concerns. 13 C.F.R. § 121.103(a).

(3) Nonprofit organization:

A university or other institution of higher education located in any country. § 1.27(a)(3)(ii)(A).

An organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a). Also included are such organizations located in a foreign country that would qualify if it were located in this country. § 1.27(a)(3)(ii)(B), (D).

A nonprofit scientific or educational organization qualified under a nonprofit organization statute of a U.S. state. Also included are such organizations located in a foreign country that

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would qualify if it were located in this country.
§ 1.27(a)(3)(ii)(C), (D).

Please note that a license to the Government resulting from a rights determination under Executive Order 10096 does not constitute a license that would prohibit claiming Small Entity Status. Similarly, for small business concerns and nonprofit organizations, a license to a Federal agency resulting from a funding agreement with that agency under 35 U.S.C. § 202(c)(4) is not a license that would prohibit claiming Small Entity Status. § 1.27(a)(4).

I hereby assert that I am empowered to sign on behalf of the party identified below ("Party"). Persons empowered to sign include, but are not limited to, an inventor him- or herself or an authorized officer of an assignee or licensee. See § 1.27(c)(2).

I have made a determination of the Party's entitlement to Small Entity Status, including a determination that all parties holding rights in the invention qualify for Small Entity Status. § 1.27(f).

I hereby assert that the Party has not assigned, granted, conveyed or licensed--and is under no obligation under contract or law to do so--any rights in the invention to any other party that would not qualify as a Small Entity. Separate assertions of Small Entity Status should be obtained from each party having rights to the invention.

I hereby assert that the Party is entitled to be accorded Small Entity Status by the USPTO for the application or patent identified above. § 1.27(c)(1).

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I understand that Small Entity Status must be newly determined when the issue fee and each maintenance fee is due. If there is any change resulting in loss of entitlement to Small Entity Status, I acknowledge the duty to file a notification to the USPTO in this application or patent before or upon paying the fee. § 1.27(g).

I understand that Small Entity Status must be separately established in any related application, including continuation, divisional, continuation-in-part, continued prosecution application or reissue application. § 1.27(c)(4).

I understand that any attempt to establish Small Entity Status improperly, deceptively or fraudulently will be considered a fraud practiced on the USPTO and may result in abandonment of the application or jeopardize the validity and enforceability of any resulting patent. § 1.27(h).

Aug. 30 - 2004

Date


MORTEN HOYUM

Name: MORTEN HOYUM

Title: CEO

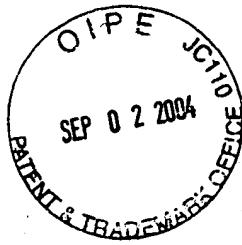
GenoMar ASA

Oslo Research Park

Gaustadendalleen 21

N-0349 Oslo

NORWAY



COPY

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Title of Application: VERIFICATION OF FOOD ORIGIN BASED
ON NUCLEIC ACID PATTERN RECOGNITION

Application Ser. No.: 10/643,775

Filed: August 18, 2003

Inventor(s): Lie et al.

Attorney Client-Matter No.: 66849-019

Genomar ASA, a Corporation, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the application. A copy of the executed assignment, submitted for recording, is attached hereto as documentary evidence of the chain of title to the assignee.

The undersigned is empowered to sign this statement on behalf of the assignee.

Date: Aug. 30 - 2004

Signature: M. Høy

Name: MORTEN HOYNG

Title: CEO

COPY

JOINT

ASSIGNMENT

This Assignment is made by Øystein Lie of Oslo, Norway, Audun Slettan of Holum, Norway, Morten Hoyum of Ski, Norway and Frode Lingaas or Fagernes, Assignors, to Genomar ASA, Assignee, having a place of business at Oslo Research Park, Gaustadendalleen 21, N-0349 Oslo, Norway.

WHEREAS, Assignors have invented a new and useful VERIFICATION OF FOOD ORIGIN BASED ON NUCLEIC ACID PATTERN RECOGNITION, for which an application for United States Letters Patent was filed on August 18, 2003, in the United States Patent and Trademark Office, bearing Serial No. 10/643,775 and identified as Attorney Client-Matter No: 66849-019;

WHEREAS, Assignors believe themselves to be the original inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, the parties desire to have a recordable instrument assigning the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in accordance with the obligations to assign the invention and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors sell, assign, and transfer to Assignee, the entire right, title, and interest in and to said invention, said application, any applications entitled to benefit of priority to

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said application under Title 35, United States Code, Sections 120, 121 or 251, which include divisionals, continuations and reissues, and any Letters Patent that may be granted on said invention or these applications in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties, or otherwise.

Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing, or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording, or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request that any United States or foreign Letters Patent granted for said invention, whether on said application or on any subsequently filed divisional,

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continuation or reissue application, be issued to Assignee, its successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the date(s) provided below.

Assignor: Øystein Lie

 30/8-04
Signature Date

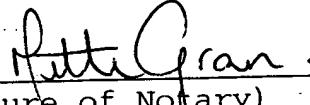
STATE OF Norway)
COUNTY OF Oslo)

Mette Gran

Konsulent

On 30 August 2004, before me, _____ personally appeared Øystein Lie, personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS by hand and official seal.


(Signature of Notary)



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Serial No.: 10/643,775
Filed: August 18, 2003
Page 4

Assignor: Audun Slettan

Audun Slettan 30/8-04
Signature Date

STATE OF Norway)
COUNTY OF Oslo)

Mette Gran

konsulent

On 30 August 2004, before me, Audun Slettan,
personally appeared Audun Slettan,
personally known to me - OR - proved to me on the basis
of satisfactory evidence to be the person(s) whose name(s) is/~~are~~
subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Mette Gran
(Signature of Notary)



Inventors: Lie et al.
Serial No.: 10/643,775
Filed: August 18, 2003
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Assignor: Morten Hoyum



08.30-2004

Signature

Date

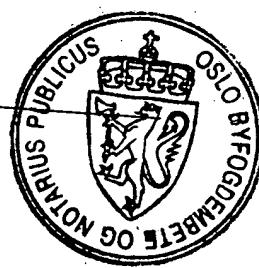
STATE OF Norway)
COUNTY OF Oslo)

On 30 August 2004, before me, Mette Gran
personally appeared Morten Hoyum,
personally known to me - OR - proved to me on the basis
of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Mette Gran
(Signature of Notary)

Mette Gran
konsulent



Inventors: Lie et al.
Serial No.: 10/643,775
Filed: August 18, 2003
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Assignor: Frode Lingaas

Frode Lingaas

Signature

30/8-04

Date

STATE OF Norway)
COUNTY OF Oslo)

Mette Gran

konsulent

On 30 August 2004, before me,
personally appeared Frode Lingaas,
personally known to me - OR - proved to me on the basis
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capacity(ies), and that by his/her/their signature(s) on the
instrument the person(s), or the entity upon behalf of which the
person(s) acted, executed the instrument.

WITNESS by hand and official seal.

Mette Gran.

(Signature of Notary)

